

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBINETTE LONG,

Plaintiff,

v.

Case No. 13-cv-0380 RB/SMV

**EASTERN NEW MEXICO UNIVERSITY
BOARD OF REGENTS, LEE QUICK,
KATHY KNOLL, JULIE GAWEHN,
JANE BLAKELEY, and SCOTT SMART,**

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION TO COMPEL INDEPENDENT
PSYCHOLOGICAL EXAMINATION OF PLAINTIFF**

THIS MATTER is before the Court on Defendants' Motion to Compel the Independent Psychological Examination of Plaintiff Robinette Long [Doc. 39] ("Motion"), filed on March 12, 2014. The Court, having considered the briefing [Docs. 39, 42, 43, 45], oral argument [Doc. 46], and relevant law, and being otherwise fully advised in the premises, finds that Plaintiff has alleged a severe emotional injury and has placed her mental condition at issue. Accordingly, the Motion is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. Plaintiff Robinette Long shall attend an Independent Psychological Examination ("IPE") examination conducted at the offices of Anne Rose, Ph.D., located at 11005 Spain, NE, Albuquerque, NM 87111. The examination shall be completed by **April 30, 2014**.
2. The IPE will be limited to no longer than **eight (8) hours** to be conducted over the **two (2) days**.

3. There shall be no recording of the IPE and no other people in attendance unless Dr. Rose agrees prior to the commencement of the IPE.

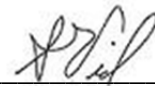
4. The Defendants shall pay the Plaintiff **\$0.56 per mile** for travel from Cortez, Colorado to Albuquerque, New Mexico for the IPE and back to Cortez, Colorado following completion of the IPE. In addition, the Defendants shall reimburse Plaintiff **up to \$200 per day** for hotel and meal expenses for no more than **four (4) days**. Payment shall be sent within ten days of Plaintiff providing receipts to counsel for the Defendants.

5. Dr. Rose shall simultaneously fax her expert report to both counsel of record when it is complete, but in any event, no later than **May 15, 2014**.

6. Defendants shall make Dr. Rose available for a deposition within **twenty-one (21) days** of issuance of her report.

7. If Plaintiff wishes to identify a rebuttal expert pursuant to FRCP 26(a)(2)(D)(ii), Plaintiff shall make such disclosure within thirty (30) days of receipt of Dr. Rose's report or fifteen (15) days of Dr. Rose's deposition, whichever is later.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge